

Message Text

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42

ACTION EUR-25

INFO OCT-01 ADP-00 ACDA-19 CIAE-00 PM-09 INR-10 L-03

NEA-10 NSAE-00 PA-03 RSC-01 PRS-01 GAC-01 USIA-12

TRSE-00 MBFR-03 SAJ-01 CU-04 IO-12 OIC-04 AEC-11

OMB-01 DODE-00 H-02 NSC-10 SS-15 RSR-01 /159 W

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FM USMISSION NATO

TO SECSTATE WASHDC 9704

INFO AMEMBASSY HELSINKI

C O N F I D E N T I A L USNATO 1806

E. O. 11652: GDS, 12-31-79

TAGS: PFOR

SUBJECT: CSCE: EXPERT'S MEETING ON SWISS PROPOSAL

HELSINKI FOR USDEL MPT

REF: A) STATE 66000; B) USNATO 1679

1. POLADS AGREED AT APRIL 10 MEETING THAT EXPERT'S MEETING ON SWISS PROPOSAL FOR SYSTEM FOR PEACEFUL SETTLEMENT OF JUSTICIABLE DISPUTES WOULD BE HELD MAY 8 WITH POSSIBILITY OF CONTINUATION MAY 9. CANADIAN REP CIRCULATED PROPOSED AGENDA FOR MEETING (TEXT BELOW). WHILE NOT OBJECTING TO CANADIAN PROPOSAL, UK REP SUGGESTED THAT EXPERTS BE GIVEN GREATER FLEXIBILITY AND BE ASKED EXAMINE ALL ASPECTS OF SWISS PROPOSAL, CONCENTRATING ON QUESTIONS CIRCULATED BY US, VARIOUS RESPONSES OF ALLIES, AND CANADIAN POINTS AS WELL.

2. AT APRIL 16 MEETING, WE BELIEVE THAT UK POSITION WILL HAVE GENERAL SUPPORT ON GROUNDS THAT CANADIAN AGENDA IS COVERED IN WIDER UK FORMULATION. WE PLAN TO CONCUR IN THIS VIEW.

3. TEXT OF CANADIAN AGENDA FOLLOWS: BEGIN TEXT:
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(A) WHAT TYPES OF DISPUTES DO (OR SHOULD) THE SWISS INTEND TO COVER IN THESE CATEGORIES AND WOULD

OTHER FUNCTIONAL TERMINOLOGY BE LESS CONFUSING?

(B) THE PROS AND CONS OF EXISTING INTERNATIONAL MACHINERY
AND THEIR SUITABILITY IN THE CONTEMPORARY EUROPEAN
CONTEXT.

(C) IS THERE A NEED FOR A NEW EUROPEAN MACHINERY?

(D) WHAT SHOULD BE THE " EUROPEAN CONTENT " TO BE DEALT
WITH BY ANY NEW EUROPEAN MACHINERY?
THE SUBJECT RESULTING FROM THE CSCE?
ANY LEGAL DISPUTE BETWEEN EUROPEAN STATES?
PARTICULAR CATEGORIES OF DISPUTES?

(E) SHOULD ANY NEW EUROPEAN MACHINERY PROVIDE FOR THE
ACCEPTANCE IN ADVANCE OF COMPULSORY JURISDICTION,
AD HOC BINDING JURISDICTION FOR PARTICULAR DISPUTES,
ADVISORY OPINIONS OR A COMBINATION THEREOF?
TO WHAT EXTENT SHOULD THE STATES PARTIES BE
PERMITTED TO ENTER RESERVATIONS?

(F) WHO SHOULD BE PERMITTED TO BECOME PARTIES TO ANY
NEW EUROPEAN MACHINERY?
THE CSCE PARTICIPANTS, EUROPEAN STATES ONLY OR OTHERS?
END TEXT.
MCAULIFFE

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